

ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

UNITED STATES OF AMERICA

v.

No. 4:16-CR-083-O

OSCAR PEREZ

(03)

FACTUAL RESUME

I. Plea:

The defendant is pleading guilty to Count One of the Indictment, charging Conspiracy to Possess with Intent to Distribute Methamphetamine, in violation of 21 U.S.C. § 846 (21 U.S.C. 841(a)(1) and (b)(1)(B)).

II. Penalties:

The penalties the Court can impose include:

- a. imprisonment for a period not less than five (5) years and not more than forty (40) years;
- b. a fine not to exceed five million dollars (\$5,000,000), or both such fine and imprisonment;
- c. a term of supervised release of not less than four (4) years, which may be mandatory under the law and will follow any term of imprisonment. If the defendant violates any condition of the term of supervised release, the Court may revoke such release term and require that the defendant serve an additional period of confinement;
- d. a mandatory special assessment of \$100;
- e. forfeiture of property; and
- f. costs of incarceration and supervision.

III. Elements of the Offense:

In order to establish the offense alleged in Count One of the Indictment, the government must prove the following elements beyond a reasonable doubt:

- First: That two or more persons, directly or indirectly, reached an agreement to distribute or possess with intent to distribute a controlled substance, as charged in the indictment;
- Second: That the defendant knew of the unlawful purpose of the agreement;
- Third: That the defendant joined in the agreement willfully, that is, with the intent to further its unlawful purpose; and
- Fourth: That the overall scope of the conspiracy involved at least 50 grams of a mixture and substance containing a detectable amount of methamphetamine.

IV. Stipulated Facts:

Beginning in or about January 2014, and continuing thereafter until on or about April 1, 2016, in the Fort Worth Division of the Northern District of Texas, and elsewhere, defendant Oscar Perez, and others, did knowingly and intentionally combine, conspire, confederate, and agree to engage in conduct in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(B), namely, to possess with intent to distribute more than 50 grams of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance.

On or about March 31, 2016, co-defendant Manuel Gutierrez-Barajas contacted co-defendant Bayron Pineda-Garcia by cell phone, and directed him to deliver two kilograms of methamphetamine to Oscar Perez. Shortly thereafter, Pineda-Garcia delivered two kilograms of methamphetamine to Perez at a location in Fort Worth, Texas. Investigators stopped Perez after he received the methamphetamine. A search of Perez's vehicle revealed two kilograms of methamphetamine, and approximately \$21,044 in cash. The \$21,044 in U.S. Currency was seized and constitutes proceeds of the drug-trafficking conspiracy.

Perez admits that he conspired with individuals named in the indictment to possess with intent to distribute more than 50 grams of methamphetamine.

AGREED AND STIPULATED on this 31 day of May, 2016.

A handwritten signature in black ink, appearing to read 'Oscar Perez', written over a horizontal line.

Oscar Perez  
Defendant

A handwritten signature in black ink, appearing to read 'Jim Shaw', written over a horizontal line.

Jim Shaw  
Counsel for Defendant